

JUN-02-05 11:11AM FROM-StoutUxaBuyanMullins

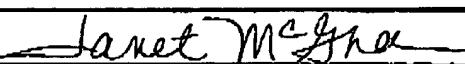
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/802,381
		Filing Date	3/17/2004
		First Named Inventor	Carruthers
		Group Art Unit	1654
		Examiner Name	Russel, J.E.
Total Number of Pages in This Submission	4	Attorney Docket Number	D-3127RE

ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <i>(in duplicate)</i>	<input type="checkbox"/> Assignment Papers <i>(for or Application)</i>	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i>	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Interview Summary	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) —		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks  Although no fee is believed necessary, the Commissioner is hereby authorized to charge any fee necessary to Deposit Account No. 01- 0885.		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	Frank J. Uxa Registration No. 25,612		
Signature			
Date	June 2, 2005		

CERTIFICATE OF TRANSMISSION/MAILING		
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Typed or printed name	Janet McGhee	
Signature		Date June 2, 2005
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/802,381 Confirmation No. 2839  
Applicant : CARRUTHERS et al.  
Filed : March 17, 2004  
Title : COSMETIC USE OF BOTULINUM TOXIN FOR TREATMENT OF DOWNTURNED MOUTH  
  
TC/A.U. : 1600/1654  
Examiner : RUSSEL, J.E.  
  
Docket No. : D-3127RE  
Customer No. : 33197

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June 2, 2005  
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RESPONSE TO MAY 16, 2005 INTERVIEW SUMMARY

Sir:

In response to the Examiner-Initiated Interview Summary of May 16, 2005, please consider the following remarks:

Appl. No. 10/802,381  
Reply to Interview Summary of May 16, 2005

Remarks

Based on the May 16, 2005 Examiner-Initiated Interview Summary, applicant understands that the amendment filed May 4, 2005 will be entered and overcomes the rejections of the claims.

The only outstanding issue is the submission of a Supplemental Reissue Oath/Declaration. Based on a telephone conversation between the Examiner and applicant's representative, Greg S. Hollrigel, applicant understands that the Examiner was agreeable to receiving an executed Supplemental Reissue Oath/Declaration during the week of May 31, 2005.

In that regard, enclosed herewith please find a Supplemental Reissue Oath/Declaration executed by each of the inventors of the above-identified application.

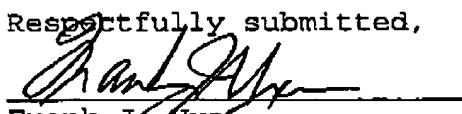
In view of the above, applicant submits that all of the outstanding issues of the March 4, 2005 Office Action have been addressed and overcome. Thus, applicant submits that the present claims, that is claims 1-6, 8-20, 22, 24, and 26-30, are in condition for allowance.

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Reply to Interview Summary of May 16, 2005

Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: 6/2/05

Respectfully submitted,

  
Frank J. Uxa  
Attorney for Applicant  
Registration No. 25,612  
4 Venture, Suite 300  
Irvine, California 92618  
(949) 450-1750  
(949) 450-1764 Facsimile